BOERS' POSITION STRONG. GEN. BULLER IS FIGHTING OVER

DIFFICULT GROUND.

No Further News of His Advance-His Losses Up to Noon on Tuesday Were 226 Offcers and Men Killed and Wounded -Guns Withdrawn From Around Ladysmith to Oppose Buller-Gatacre Repulses a Boer Attack in Cape Colony -Macdonald Holds His Position at Modder River-Boer Invasion of Zululand? Special Cable Despatch to THE SUN.

LONDON, Feb. 9.-The War Office announced at midnight that it had not received any despatches from the front and there is nothing from unofficial sources dealing with events on the Tugela River later than Tuesday night. THE SUN's special despatch from its correspondent with Gen. Buller, ending with the words. "There was no advance to-day," though dated Feb. 7 was probably filed on Feb. 6 and held by the censor, and it makes no reference to the events of Wednesday.

It is clearly useless to speculate as to what has occurred since, but an examination of the reports from all sources makes it obvious that the Boer positions are exceedingly strong. The Chronicle's correspondent says they have mounted guns covering the British position on the river, and it was seen by yesterday's despatches that their artillery more or less commands the British position at Vaalkrantz.

The military critic of the Morning Post says: "In order to be able to advance, Gen. Buller will probably have to drive the Boers from Doorn Kop, separate the two Boer wings, and then, while holding one, attack and crush the other. That cannot be an easy matter, for they can move troops faster than he, and they will probably pour a converging fire from the west and north and probably also from the east on Vallkrantz. Nevertheless, it is to be hoped that he will press the attack and not tire, even if the engagement lasts several days. The case resembles Gen. Grant's battle at Fort Donelson, when he first realized that it was a question when both armies were tired of fighting which could first renew the attack."

Since Gen. Buller's attack began Ladysmith has been prevented from following the details of the movement owing to a haze. The Post's correspondent despatched a runner Tuesday reporting that Boers were massed south of Munger's Hill, from which direction many ambulances were travelling to the main hospital by Table Hill. It was added that there was another large Boer camp east of Spion Kop, and that most of the Boers' heavy baggage was sent toward the mountains on Monday.

Describing the position at Ladysmith the correspondent says: "A large force of Boers remains here. - The bombardment now is very slight, though the gun on Bulwans Hill is occasionally active, as well as a 9-pounder on the Colenso plateau, which ward in had been silent since Jan. 6 until yesterday. It is believed that the Creusot gun on Telegraph Hill, the howitzer on Surprise Hill and the gun on Middle Hill have been withdrawn south."

Gen. Buller cables the War Office that the easualties at Potgieter's Drift up to noon on Feb. 6, were 2 officers killed and 14 wounded. and 210 men killed and wounded.

A despatch to the Times from Spearman's Camp says: "The attack of the Durham Light Infantry was of the most brilliant character. Cover was scarce, the ground consisting of mealte fields. The Boers remained in the position till the Durhams reached the top of the hill, when over fifty of them, half of whom were armed natives, fled down the other side. A despatch from Pletermaritzburg, dated Feb. 7, reports that the Chieveley column has been active during Gen. Buller's movement. The new naval gun on the railway has been

It is asserted from the same source that the Nondweni district in Zululand is now entirely in possession of the Boers, who are in strong force. A thousand of them attacked the magistrate's quarters and the laager at Nondweni and demolished the courthouse with artillery. The laager surrendered after an exchange of rifle voileys and all the inmates are prisoners. Gen. Lord Roberts's departure from Cape Town was kept a profound secret, and beyond a vague statement that he had gone north nothing is known of his movements. It is also unknown whether Gen. Lord Kitchener, his Chief of Staff, accompanied him, all information being refused.

A despatch from Bird's River, Cape Colony, dated Wednesday night, says: "TheiBoer attack on Pen Hoek this morning was a feint. The main blow was delivered at Bird's River. They shelled the British position here with three guns, but retreated when reënforcements reached Gen. Gatacre.

"The British cavalry and mounted infantry are pursuing the Boers. The British loss was slight."

A despatch to the Times from Modder River, dated vesterday, says: "The Boers have been totally unable to force Gen. Hector Mac Donald to show his strength. Gen. MacDonald has been entirely successful in accomplishing

## TO RAISE BRITISH FORCE TO 194,000. War Office Statement to the House of Commons-2,280 British Missing.

Special Cable Despaich to THE SUN. LONDON, Feb. 8.-In the House of Commons to-day Mr. Wyndham, Parliamentary Under Secretary of State for War, stated that the latest returns from South Africa showed that altogether 2,280 officers and men were missing. Mr. Wyndham also stated that arrangements

had been made to increase the British and Colonial forces in South Africa to 194,000. Mr. Joseph Powell Williams, Financial Secretary to the War Office, stated that the Government was purchasing large quantities of hav in North and South America because it was more conveniently packed and cheaper

than British hay. He stated that he had no knowledge of any bad hay having been supplied from these countries. In addressing the House of Lords to-day, the Marquis of Lansdowne said that the re-

port that the Boers had shot wounded Uitlanders after the battle of Spion Kop has so far been unconfirmed.

## Death of Fever in Ladysmith. Secret Cable Despatch to THE SUN.

Loxpox, Feb. 8.- The War Office announces that Gen. White at Ladysmith reports twentythree leaths of disease from Feb. 2 to Feb. 5.

India's Contribution to the War Fund. Special Cable Hernatch to THE SUN. CALCUTTA, Feb. 8. - The Indian Government has contributed £50,000 to the Imperial war

BRITISH OFFICER'S INVENTION. Aerial Tramway for Carrying Heavy Material Over Fordless Rivers.

Special Cable Despates to THE SUN. CAPE Town, Feb. 8.-Major Seymour of the Volunteer Railway Pioneers has planned an ingenious apparatus for transporting heavy material over fordless rivers. It will be built on the principle of an aerial tramway and will be completed within a week. After that it will be subjected to practical tests and if it works

THE MAINE IN SERVICE.

satisfactorily will be sent to the front.

American Women's Hospital Ship Takes Full Load of Wounded to Cape Town.

Special Cable Despatch to THE SUN. DUBBAN, Feb. 8.-The hospital ship Maine has sailed for Cape Town. All her berths are filled with wounded. The most serious cases are those of men who were wounded at Spion Kop and Colenso.

DIDN'T HEAR MONTAGU WRITE.

Meeting at Plymouth Church at Which He Was to Speak for the Boers Declared Off. When John Hayes Hammond made an address a couple of weeks ago in Plymouth Church on the Boer war, championing the British side in the controversy, Col. Hague announced that Montagu White would be invited to speak from the same platform in defense of the Boer cause. Mr. White accepted the invitation, and it was arranged that the meeting should be held last Wednesday night under direction of the Young Men's Club of the church. No meeting, however, was held, it having been declared off by the Directors of the

club.

Col. Hague attributes the collapse of the meeting to the anti-Boer sentiment in the church, but the Rev. Mr. Porter, the assistant pastor, says that Col. Hague himself is responsible, having assumed apparently the entire direction of the affair, although he is not even a member of the club, and having gone on and made the arrangements regardless of its wishes. Col. Hague said yesterday, that Mr. White would have an opportunity soon to speak in Brooklyn in behalf of the Transvaal Republic.

COLLECTED MONEY FOR THE BOERS.

Police of Several Cities Want a Man Who Said He Was a Relative of Gen. Cronje. ROCHESTER, Feb. 8.-A man giving his name as Peter L. J. Cronje, and representing that he is a relative of Gen. Cronje, the Boer officer, sympathizers, hereabouts, is missing and the sympathizers, hereabouts, is missing and the police are looking for him. The authorities in Buffalo, Niagara Falls, Lockport and other cities are also looking for the same man. Cronje last week spent an entire day among the residents of the Holland settlement in Brighton, just outside the city limits, and it is said that he managed to collect about \$75 in that time. He promised to return to the village on Friday night and deliver a lecture in the Holland Church on the subject of the Boer war, but he failed to keep his engagement. He claimed to be the agent of a relief association in New York city.

CHICAGO'S LOOTED TREASURY.

Lack of Money for Lights Results in Hold-

Ups-City Officials Denounced. CHICAGO, Feb. 8 .- The three highway robberies in one block in Calumet avenue last night stirred the Third Ward Republican Convention to-day into a denunciation of the city administration. The resolutions criticise the civic parsimony exhibited in turning out street lights to save a few dollars, and as a result leaving a neighborhood in a gloom, tempting the footpad or burglar. It was declared at the convention that the fight for better lighting as a means for protection from hold-ups and possible murder will be made a feature of the coming campaign. The resolutions are:

"Whereas, No many burglaries, hold-ups and highway robberies have occurred in the Third ward in recent weeks as to render life and property unsafe; and

"Waereas, No relief from such condition has been offered by the Police Department of our city; and

"Whereas, Hundreds of gas lamps have been darkened in our ward because of lack of means through misadministration, thus rendering to thugs, burglars and robbers better opportunity to ply their vocation; therefore, be it

"Resolved, That we severely condemn the cutting off of the gas lamps in the densely populated Third ward, and denonnee the present Democratic city administration for permitting it to be done." administration. The resolutions criticise the

BIG STREET RAILWAY DEAL.

It Involves the Principal Trolley Lines of

Western New York. BUFFALO, Feb. 8.-A street railway deal, in-New York, backed by the Cuyler-Morgan Syndicate of New York, is said to be under way. Representatives of the New York financiers have been in Rochester, quietly buying up the stock of the Rochester Railway Company, the Rochester Electric Railway, the Rochester and Irondequoit line and the Rochester and Brighton line. They are said to have secured a controlling interest in these roads, which make up the trolley system of Rochester and which were consolidated in 1830 under the financial guidance of the Cuyler-Morgan people, with a capital of \$5,000,00. The stock is said to have been bought at an average price of \$18 a share.

T. A. Edison and other electricians have reported to the syndicate, it is said, that a trolley line from Rochester to Buffalo could be operated by Niagara Falls power. It is understood that a line will be built from Rochester to Buffalo along the shore line of Lake Ontario, making use of some of the short lines now in existence. The line will tap the International Company's system, which operates all the trolleys in and between Buffalo, Niagara Falls, Lockport and intermediate cities. Representatives of the New York finan-Falls, Lockport and intermediate cities.

IM MEMORY OF SMILING JOHN KELLY. Fund of \$27,500 for Hospital Beds and the

Care of Bad Boys. Thirty-five friends of the late "Smiling" John Kelly held a meeting last night at the Hoffman House and raised \$15,095 toward a fund of \$27,500 to endow ten beds in St. Vincent's Hospital and found a fund to aid boys committed to the Catholic Protectory. Corporation Counsel Whalen is the chairman of the committee having the matter in charge, Commissioner Kearry is its Secretary and Deputy Chief McLaughlin is the Treasurer. Among the men who attended the meeting last night were John F. Carroll. Police Commissioner Sexton, ex. Mayor Grant, Thomas F. Ryan, Register Isaac Fromme, Anthony N. Brady, Senator McCarren and ex-Police Superintendent Thomas Byrnes. \$27,500 to endow ten beds in St. Vincent's ago.

THE REV. GEORGE ALLEN MARRIED.

He Attempted Suicide When the Date of the Wedding Was Set a Few Months Ago. POUGHKEEPSIE, Feb. 8 .- The Rev. George Allen of Milton and Miss Minnie Gedney were married at Milton, N. Y., to-day. The wedding is the culmination of a tragical romance. A few months ago the wedding was set, and the rew months ago the wooding was set, and the young clergyman attempted suicide by shooting. He recovered, Miss Gedney having nursed him through his suffering. He was for several weeks a sufferer from his self-inflicted wounds. He blamed his rashness to overwork and nervousness, and Miss Gedney believed him. The couple will make a trip through the South. The congregation still believes in the young pastor, and a big reception will be tendered him and his bride when they return.

Mrs. Fowler, 60, Weds Her Secretary, 29. KANSAS CITY, Mo., Feb. 8,-Mrs. O. E. Fowler, who, since the death of her husband, the phrenologist, has been lecturing on phrenology in his stead, was married on Wednesday to J. G. Chumos, her private secretary. Mrs. Fowler gives her age at 60 and her husband gives his as 20. Mr. and Mrs. Chumos left after the ceremony for the East.

Canada's War Expenses.

OTTAWA, Ont., Feb. 8.-Canada's war expenses for the organization and maintenance of her two contingents for South Africa up to July I, will amount to \$2.000,000. The Finance Minister will move a resolution to-morrow pro-viding for this expenditure.

Save Time and Money. The New York Central's Empire State Express between New York and Buffalo, 440 miles in 445 minutes. A two-cent mileage ticket 58.801 is good on this train. Trains illuminated by Pintsch Light.—44r.

FATE OF TREATY IN DOUBT. IMPOSSIBLE TO PREDICT WHAT THE

SENATE WILL DO WITH IT.

While It Now Appears to Have More Friends Than Opponents, It Cannot Be Said That a Majority of the Senate Think It Should Be Ratified Without Amendment-Senator Hoar's Attitude Given in a Statement for the Newspapers.

WASHINGTON, Feb. 8.-Opinion in the Senate on the subject of the Hay-Pauncefote canal treaty is still in such a chaotic state that it is impossible to predict what the fate of the treaty will be. It is a fact, however, that on the surface the treaty now appears to have more friends than opponents—that is, a majority of the Senate appear to believe that a treaty of some kind with regard to the canal is a good thing to have. But it cannot fairly be said that a majority of the Senate think this particular treaty, just as it stands, is a good thing and should be ratified without amendment. Indeed, some of its warmest friends and admirers think now that it should be amended, just as they thought when it was submitted to the Senate last Monday. Senator Hoar was reported in a Washington despatch, printed in THE SUN of Tuesday, as having said in Monday's executive session that the terms of the treaty were ambiguous and should be amended so as to make it clear that the capal is to be entirely under the control of the United States and that in time of war this country would not permit the use of the waterway to its own enemy. The accuracy of this statement of the Massachusetts Senator's attitude having been questioned, Mr. Hoar today dictated this statement for the newspapers:

'The negotiation of the convention with Great Britain, abrogating the Clayton-Bulway treaty, will add greatly to Mr. Hay's reputation as a diplomatist. It is a fortunate thing for the United States. It is true that the United States assumes the cost building and maintaining and policing the canal, but it gets by its construction an enormous advantage over other nations in bringing our Atlantic States nearer Hawaii. Asia and the Oriental archipelago, opening water communication between our Atlantic collected considerable money from pro-Boes, and Pacific coasts. It is true it is to be neutral territory in time of war. It is like taking a great rock out of the way of navigation. It is to become part of the high seas.

"The treaty may need a slight amendment. It requires the United States to police the canal and to enforce the treaty's stipulations about it, and at the same time forbids us to keep ships of war there in time of war between us and other powers. There should be some provision for force enough to maintain the stipulations of the treaty, even if we are at war. But if it be thought to require amendment in this regard it can easily be made, as Lord Pauncefote and Mr. Hay are both in Washington and the Senate is in session."

This is just about what THE SUN despatch credited the Senator as saying in the executive session, and states not only his attitude, but that of other Senators equally as influential as himself

The treaty needs amendment, but will it be amended? Probably not by Lord Pauncefote and Secretary Hay, as Senator Hoar suggests. because the Secretary has already stated to more than one person since the treaty was announced that an attempt to change it would be unsuccessful and perhaps fatal. It must be ratified or rejected as it stands, the Administration thinks.

Whether the Senate will adopt an amendment in line with Senator Hoar's idea cannot now be foretold. At present the treaty is to lie dormant until legislation for Puerto Rico and Interest that the creation of the new executive department will greatly relieve the Treasury and Interior Departments, which Interest that their propertionale share. as it stands, the Administration thinks. in line with Senator Hoar's idea cannot now be foretold. At present the treaty is to lie dor-Hawaii, and perhaps Cuba and the Philippines is disposed of. It is also the desire of Senator Morgan and other advocates of the Canal Construction bill to pass that measure first, not because they fear the rejection of the treaty. they say, but merely because it has the right of way, and they think it well to retain that right until the bill is disposed of.

In the meantime the treaty will remain in the hands of the sub-committee on Foreign Relations, charged with the work of considering its relation to the canal bill and other pending measures. This sub-Committee is comvolving the principal trolley lines of western posed of Senators Davis, Lodge and Morgan, and all are said to be willing now to take the treaty just as it stands, even Mr. Lodge, who in doing so might find it necessary again to part company with his distinguished colleague, the senior Senator from Massachusetts, Until some report is made by this sub-committee, or until the treaty gets before the Senmatter, or until the treaty gets before the sen-ate in some tangible shape, it will be difficult, if not impossible, to say what will happen to it after it has been coolly considered. Undoubt-edly it would be ratified should the vote be taken to-morrow, possibly without amend-ment, but probably not. It may be that after the first flush of enthusiasm of the brilliant divlomacy that made the treaty a fact has diplomacy that made the treaty a fact has passed, two-thirds of the Senators will not be

passed, two-thirds of the Senators will not be rendy to swallow it whole.

Representative Hepburn of Iowa, chairman of the Committee on Interstate and Foreign Commerce, which reported the pending Canal Construction bill, is openly opposed to the treaty. He says it is a surrender to England, that it abandons the Monroe Doctrine, and that it would certainly impair the value of the canal when constructed, and he hopes it will be rejected.

Representative Hitt, chairman of the Committee on Foreign Affairs, commends the treaty, and in doing so lays down the somewhat novel proposition, novel, at least, in the way Mr. Hitt, who has devoted his life to the study of diplomatic questions, puts it. He says:

what novel proposition, novel, at least, in the way Mr. Hitt, who has devoted his life to the study of diplomatic questions, puts it. He says:

"The treaty provides for the abrogation of a treaty which should have been abrogated long ago. While the provisions of that treaty remained in force it would be impossible for the United States to construct the canal. The canal should be neutral and the United States will secure sufficient benefit from it without fortifying it. As a commercial investment the construction of the canal should prove a highly remunerative investment. The stock in the Suez Canal was issued at \$500 and now sells for \$2.700. This question of abrogating treaties is an easy one. It lies within the power of Congress to abrogate treaties whenever it sees fit, and it has done so several times. If the Clayton-Bulwer treaty had been with a less powerful nation we would doubtless have abrogated it long ago, had Congress so desired. The power of Congress to put an end to treaties has been clearly established by the courts, which have held that the courts have nothing to do with the right to make laws and treaties. The right to make laws and treaties. The right to make laws and treaties is conferred in the same article of the Constitution, and the body which makes laws can make a law to violate the treaty or a treaty violating a law. All Congress has to do to abrogate a treaty is to pass a law violating the fact that it was dealing with a weak nation and it is abrogated. This has been done in the case of China, Congress recognizing the fact that it was dealing with a weak nation and to seath the chinese to this country should be passed. When the agitation against the Chinese was so great some years ago various members interested in preventing them from coming to this country were daily engaged in searching the dictionary for terms strong enough to serve their purpose. Representative Geary, nuthor of the Geary Exclusion act, now a law, went directly to the treaty and adopted the very language, and entitl in opposition to the treaty, the courts deciding the matter was none of their concern."

Representative Levy of New York is drafting a bill which shall authorize the President to enter into negotiations with all maritime powers of the world to contribute to the construction of the cannil according to their tonnage. Mr. Levy thinks by this means all the countries would be interested in the canal and its neutrality would be assured. He thinks it will cost \$300,000,000 instead of \$140,000,000. His idea is to have it constructed and operated by a sort of joint stock company, of which the nations shall be the shareholders.

President McKinley and Secretary Hay today express the confidence they felt yesterday that there was no real cause for the discouragement they felt when the treaty was first discussed last Monday, and that they now have

every reason to believe it will be ratified without amendment.

The Governments of Nicaragua and Costa Rica have notified the State Department that the Hay-Pauncefote agreement is satisfactory to them and have expressed a willingness to begin negotiations for the transfer to the United States of the territory through which the canal will pass. All the Central American republics have expressed to the Department their gratification over the provision that the entrances of the proposed canal shall not be fortified. DEMANDED NO COMPENSATION.

Statement to the House of Commons Com cerning the Clayton-Bulwer Treaty.

Special Cable Despatch to THE SWN. LONDON, Feb. 8.-In the House of Commons to-day Mr. William St. John Brodrick, Under Foreign Secretary, stated that there was no compensation in the convention supplementary to the Clayton-Bulwer treaty, which was signed at Washington on Feb. 5. Great Britain's advantages relative to the protection of commerce, however, were fully maintained.

CRASH AT THE 59TH STREET CURVE.

Under Trolley Car Bangs a Crowded Cable Car and Women Passengers Faint. Plenty of excitement was caused at Fifty ninth street and Columbus avenue last night by a collision between a Columbus avenue cable car and a trolley car of the Amsterdam avenue line. The Columbus avenue car. crowded with passengers, had crossed Fiftyninth street and had stopped to discharge some of its passengers. The Amsterdam avenue car should have stopped around the corner in Fifty-ninth street, but the motorman, misinterpreting the signals, came around the curve at full speed and the car banged into

There were at least 125 people on the two cars and the shock of the collision of the collision. There were at least 125 people on the two cars and the shock of the collision shock them up pretty badly. Two women fainted and the rest all screamed. Those who fainted were carried into the Hotel Von Glahn and revived. Policeman Patrick Houghey, who was on the rear platform of the Columbus avenue car, was thrown against one of the windows and sustained cuts over the left eye and on the left hand. He injuries were dressed at Roosevelt Hospital and he went home. The police made no arrests.

A north-bound Columbus avenue cable car in turning the curve at Broadway and Fifteenth street last night collided with a horse car of the Seventeenth street line. James McCoy of 226 West Twenty-seventh street, the driver of the horse car, was knocked off the platform and several of his ribs were broken. Both cars were crowded, but no one in either was injured. No arrests were made.

NEW CABINET OFFICE.

Bill Reported to the Senate Creating Department of Commerce and Industries.

WASHINGTON, Feb. 8.-The Senate Committee on Commerce to-day made a favorable report on the bill to create a Department of Commerce and Industries, the head of which is to have a seat in the Cabinet. The bill gives to the new department general jurisdiction over the foreign and internal commerce except internal revenue and customs; over transportation facilities by land and water. except in cases under the jurisdiction of the Interstate Commerce Commission; over the Geological Survey, the mining industries, the fisheries, including fur seals; also over the manufacturing industries, including the securng of foreign markets. It transfers to the new department the Lighthouse Service, the new department the Lighthouse Service, the Lighthouse Board, the Life-saving Service, the Marine Hospital Service, the Steamboat Inspection Service, the bureaus of Navigation, of Immigration and of Statistics, and the Coast Survey Service, and the Chinese Exclusion Service, now under the Treasury Department, together with the Census Office, the Department of Labor, the Fisheries Commission, the Commissioner of Railroads, and the Bureau of Foreign Commerce.

An amendment adopted by the Committee also gives the new department jurisdiction

Treasury and Interior Departments, which have now more than their proportionate share of work. The bill establishes in the proposed department a new bureau of manufactures, which is to have charge of the manufacturing interests of the United States to gather, compile and publish information on the subject, together with data in respect to securing markets abroad for American products, and to assist in developing the manufacturing industries of the United States and the markets for the same. The bill creates the office of Secretary of Commerce and Industries with a salary of \$8,000 per year, an Assistant Secretary at \$4,000 and a Chief of the Bureau of Manufactures at \$3,000. The total increase of yearly expenditures is estimated at not exceeding \$50,000.

SENATOR THURSTON IN COURT.

Appears for the Standard Oil Company and Is Surprised at Criticism.

LINCOLN, Neb., Feb. 8,-United States Senator Thurston appeared in Supreme Court today as counsel of the Standard Oil Company. which is resisting the action brought by the Attorney-General to prevent it doing business in the State on the ground that it has violated

in the State on the ground that it has violated the Anti-trust law. Argument was postponed for two weeks. Mr. Thurston presented a brief in support of his contention that the Supreme Court cannot entertain the action, because it is a penal or criminal case and not a civil one in which the State is a party.

To his friends the Senator expresses surprise that his acceptance of employment by the Standard Oil Company should provoke adverse comment. He said he made his living by the practice of law, that he had announced his intention three years ago of retiring from the Senate at the close of his term, a year hence, and as there is not now, nor is there likely to be, any legislation asked by the Standard Oil Company from the United States Senate he sees no impropriety in accepting a retainer. sees no impropriety in accepting a retainer from a corporation which pays liberal fees. He also announced his candidacy as a delegate-at-large from Nebraska to the National Conven-

VICTIM OF MALCOLM FORD'S DOG. Mr. Thurber, Whom the Bloodhound Bit Likely to Lose His Leg.

BAY SHORE, L. I., Feb. 8.-Hallett L. Thurber, a well-known merchant, who was attacked and bitten on Sunday, Jan. 27, near Babylon by Malcolm W. Ford's bloodhound Casar, is in a critical condition at his home on East Main street. Mr. Thurber, after being bitten by the dog, instead of going to the nearest physician and having the wound cauterized, went to Justice Cooper to institute legal proceedings. Thurber showed the wounded leg to the Magistrate, who remarked: "That's not in my line. I'll attend to the legal branch of your troubles, but let a doctor attend to that wound, and quickly, too." Thurber replied that his leg was already swelling. It continued to pain him severely, but he refused to consult a physician and rode home on his wheel, a distance of five miles. He did not call a physician until a day or so ago, and the leg was then swollen so he could not waik. The physician in attendance declares Thurber is suffering from blood poisoning and fears that his leg will have to be amputated in or ler to save his life. There are seven wounds caused by the dog steeth. Thurber is about 15 years old, has disappeared. street. Mr. Thurber, after being bitten by the has disappeared.

DYING BOY CONFESSES MURDER. Says He and His Mother Killed His Father

Five Years Ago. MIDDLESBORO, Ky., Feb. 8 -- About five years ago the community was startled by the assassination of Thomas Howard, a well-known lumberman. While he was eating his supper a shot was fired through the window, killing him. No clue could ever be found to the assassin. This afternoon John Lewis Howard, his This afternoon John Lewis Howard, his fifteen-vear-old son, who is dying of consumption, sent for the town officers and to them confessed that he and his mother. Mrs. Amanda Howard, did the killing. He described how his mother arranged the table so that his father could sit with his back to the window while enting, how he placed a rifle on the outside of the house before his father came in, how the shooting was done. Upon his confession Mrs. Howard was arrested by Deputy Sheriff Charlie Cecil. She will be held under guard till to-morrow morning, when she will have her hearing.

Travel, a Luxury. The "Roval Limited," Finest Day Train in the World, leaves New York, South Ferry and Foot of Liberty st, daily at 3 P. M.; arrives Washington 8 P. M. Splendid Dining and Cafe Car Service.—248.

POLICE HAVE W. FAMILLER.

FRANKLIN SYNDICATE MAN SUR-RENDERS AND IS PUT IN JATE.

He Must Furnish \$12,500 Bail to G Goes to Headquarters With Capt. olds Says He Brought Him From Canada.

William F. Miller, manager of the Franklin Syndicate in Brooklyn, who fled after the newspapers had exposed his 520 per cent. 'investment" scheme, surrendered himself to the police yesterday, and was locked up in Raymond Street Jail in default of \$12,500 bail. Capt. James Reynolds, who was in charge of the Brooklyn Detective Bureau when Miller escaped, but has since been transferred to a precinct, appeared with him at Police Headquarters at 3 o'clock yesterday afternoon. They entered by a door in the rear and went straight to Chief Devery's office. Capt. Reynolds introduced Miller to Devery and Miller stepped forward and extended his hand. "Hello, Chief. I'm pleased to meet you," said

Chief Devery shook hands with Miller and then Cart. Reynolds took him upstairs and had him photographed for the Rogues' Gallery, and measured by the Bertillon system. Then Capt. Reynolds took Miller back to the Chief's private office and Chief Devery sent for reporters and announced that Miller had been arrested. "Where was he arrested?" asked one of the re-

porters. Chief Devery stared at Capt. Reynolds and the captain glanced back.

"Must I answer?" said the captain looking at

Chief Devery smiled and said he could tell if he wished.

"Well," remarked the Captain, "I would rather wait until I tell it in a written report, but I will say that I followed a man out of this city to a town in Canada, where I saw him connect with Miller in the street. I walked up to Miller and said, 'Miller. I want you.' Miller replied, 'Yes, I understand that you wanted me and that you were looking for me.' I told him that I had no right to arrest him there and he replied, 'I know, but I'm going back to Brooklyn.' At 1:50 o'clock to-day, the train on which Miller arrived from Canada reached the Grand Central depot. There I arrested

him."

When Miller was asked if he had any statement to make, he replied that he had nothing to say. Chief Devery called up Deputy Chief Mackellar on the telephone in Brooklyn and arrangements were made by which Judge Hurd held the County Court in Brooklyn in session until Miller was taken from Manhattan and arraigned before him on the two indictments found against him some time ago by the Grand Jury. The indictments charge him with grand larceny in the first and second degree. Lawyer Voorhees asked the court for time to enter a plea and Judge Hurd fixed bail on the two indictments at \$12,500. Until it could be furnished Miller was committed to the Raymond Street Jail. Lawyer Ammon hurried away in a cab to search for a bondsman. Miller was still in jail and there seemed no likelihood of his being bailed late last night. The news of Miller's arrest had spread rapidly and about two hundred persons gathered in the court house to get a glimpse of the financial wizard. Among them were several men who had deposited their savings in Miller's syndicate on his promise that he would pay them 520 per cent. a year. Some of them remarked that they would like to get a punch at him, but he was hurried away by a deputy sheriff to the Raymond Street Jail.

When Lawyer Ammon, Miller'schief counsel, was asked how the police got hold of Miller he refused to have anything to say on the subject and the newspaper men went back to Chief Devery for more information about Miller's arrest. One of them suggested to the Chief that perhaps a deal had been made between the police and Lawyer Ammon which resulted in Miller surrendering himself.

"That man Ammon ought to have been indicted for he aided Miller to escape," remarked the Chief.

"Isn't it rue that Capt. Reynolds followed Lawyer Ammon and in this way found Miler' asked a reporter.

"I will answer no more questions on the sub-When Miller was asked if he had any state-

Lawyer Ammon and in this way found Miler asked a reporter.

"I will answer no more questions on the subject," said the Chief. "I said I would get Miller and I got him. I received information to the effect that Miller was in Canada on Sunday and on Monday I sent Capt, Reynolds up there."

the effect that Miller was in Canada on Sunday and on Monday I sent Capt. Reynolds up there."

In a frame tenement at 144 Floyd street. Brooklyn, Miller's Franklin Syndicate did business. The syndicate promised to pay 10 per cent. a week interest on all investments and guaranteed the investments. Miller sent out circulars to this effect and found people "easy" in all parts of the United States. Money came in so rapidly that the concern had to employ scores of clerks to handle its correspondence. He sat at a desk in a little room in the Floyd street house with clerks all about him and so many people came to deposit money with him that they wore out his front stoop. Then the newspapers printed the facts about the concern and the Hide and Leather Bank of Manhattan and the Broadway Bank of Brocklyn, in which Miller had accounts, requested him to withdraw them. Miller asserted that he speculated in Wall Street with the money deposited with him, his speculations being based upon information furnished to him and upon his own judgment, and his business was perfectly legitimate. The next day he was indicted.

In some manner unknown to the public the news that he had been indicted was carried to Miller as soon as to the police. Capt. Reynolds was at that time in charge of the Brooklyn Detective Bureau and had detectives watching the syndicate man, but he disappeared, leaving the detectives to explain how he could get away so easily. From time to time since then it has been reported that Miller was in Canada. Yesterday a despatch from St. Lambert's, which is a suburb of Montreal, was received by the New York newspapers that Capt. Reynolds would have Miller in custody within a few hours and would take him back to New York. Some persons who read the despatch believed that it had been sent out to conceal the facts connected with the man's arrest.

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MONTREAL, Feb. 8.—The Montreal detectives clieve that Miller has been in New York or ear it all the time and was not located in

GEN. OLMSTEAD A PRIEST.

Well-Known Civil War Veteran Takes Orders at Notre Dame University.

SOUTH BEND, Ind., Feb. 8.-Gen. W. A. Olmstead, M. D., who served through the war of the rebellion, was ordained to the priesthood of the Catholic Church at the Church of the Sacred Heart. Notre Dame University, at 8 o'clock to-day. Bishop O'Gorman of South Dakota officiated, assisted by the Rev. Father Morrissey and the Rev. W. Ransom Connor. Gen. Olmstead, since the Civil War, lived at Cheyenne, Wyo., until a few years ago. Of late years he has been the Commander of Notre Dame Post, G. A. R., Order of the Holy Cross, the only G. A. R. nost connected with a religious order in America. He joined the Union Army in April. 1861, as Captain of Company B, Second New York Volunteers. For gallantry at Big Bethel he was commissioned Lieutenant-Colonel of the regiment and then made Colonel of the Fitty-ninth New York Volunteers and was assigned as Brigadier-General by brevet to command the First Brigade, Second Army Corps. He was breveted for conspicuous gallantry before Richmond in June, 1862, and also at Glendale, Malvern Hill, Fredericksburg and Petersburg. His brigade, with water from their canteens, saved High Bridge, across the Appomattox, from being destroyed by fire, the deeing Confederates firing that bridge, as it was the only crossing in miles. The saving of this bridge enabled the Northern troops to at once capture the Confederate wayon trains, which greatly hastened Lee's surrender two days later. Father Olmstead will remain for the present at the community house at Notre Dame. Cheyenne, Wyo., until a few years ago. Of

CANADIAN RETALIATION.

Toronto College of Pharmacy Decides Not to Accept New York Certificates.

TORONTO, Ont., Feb. 8.-An attempt was recently made by the Toronto College of Phar macy to induce the College of the Province of Quebec to retaliate again at the New York State Board in its action in refusing to recognize the diplomas of graduates of Canadian colleges of pharmacy. The authorities of Quebec refused, but the Ontario college authorities to-day decided not to accept in future certificates of graduates of New York colleges, and to make it compulsory for such graduates who wish to practise in Ontario to pass an examination at the Toronto college. macy to induce the College of the Province

BILL FRICK SUE CARNEGIE? Alleged Dispute Over the Value of Stock

Which Is to Be Transferred. PITTSBURG, Pa., Feb. 8.-It is reported in steel circles here to-day that H. C. Frick has instructed his attorney, D. T. Watson, to bring suit against the Carnegie Steel Company to compel an accounting to ascertain an equitable basis on which Mr. Frick may dispose of his interest in the company.

It is reported that as a result of the dispute between Mr. Frick and Mr. Carnegle, the former had decided to sell his stock and retire from the big firm. He had given Mr. Carnegie notice of his intentions, and requested that his stock be bought in accordance with an agreement made some years ago, that if any stock was to be bought or sold between members of the firm, the prices should be based on the book value. It is said that Mr. Carnegie has declared against this plan, and is willing to buy only on the basis of the value of the capital stock ascertained at an appraisement several years ago.

As the story goes papers are now being prepared for the suit. The amount involved runs up into the millions. One rumor is that Henry Phipps had joined with Mr. Frick in his stand and will be a party to the suit. Mr. Carnegie is credited with owning \$13,000,000 of the \$25,000,000 capital stock of the company. When his partners wanted to buy him out he placed a value of \$100,000,000 on his stock and he has since said he asked too little. Mr. Frick, it is understood, argues that if Mr. Carnegie's stock was worth eight times its par value his interest should be estimated the

same way. Ex-Judge James Reed said to-day that his irm is counsel for the Carnegie company, and that he knew nothing of any suit or contemplated suit of the nature mentioned. Attorney D. T. Watson when seen refused to say anything. Mr. Frick told the reporters he had nothing to say.

ACCIDENT IMPROVED HIS MIND. Unexpected Result of the Tearing Away

of Part of Mr. Barto's Skull. SOMERVILLE, N. J., Feb. 8.-Frederick Barto has lived for five days with a part of the front of his skull torn away and with a fracture at its base. He was struck by a locomotive last Saturday. His temperature has remained normal ever since he received his injuries and he remain conscious and talks intelligently. A strange feature of Barto's case is that while before his accident he was a paralytic with an inclination to metancholia, now his mental condition is greatly improved. A few weeks ago he returned from a Newark hospital where he had been under treatment for a year. Notwithstanding his mental improvement it is thought hardly possible that he can recover.

DEAD AT THE AGE OF 109.

French Canadian Who Said He Was the Descendant of Two Royal Families. SYRACUSE, Feb. 8.-Denis Bel Larghon, who was better known as Denis Roe, died to-day at his home in Fairmount, a Syracuse suburb, at the age of 102 years. He was a French Canadian by birth and professed to be the descendant of two royal families of Europe, the French Bourbons and the English House of Hanover. His mother, Isabel Germaine, was the daughter of an English officer sent to the colonies in Revolutionary times. His father came to Canada from Paris. Denis Bel Larghon was born in Canada on Oct. 9, 1797. His mother died when he was 5 years old, and his father left him with relatives. When 14 years old he ran away to Vermont, where he learned English and changed his name to Roe. He came to Syracuse in 1852, but subsequently lived in Rochester and Chicago, returning at length to Syracuse. Until within the last month he had been remarkably active. He worked in the garden at Fairmount last summer. He had nearly all his teeth and did not wear spectacles up to the time of his death. His family had been distinguished for longevity. His father was 197 years old when he died, and his brother is now living at St. John, N. B. He leaves seven children, twenty-five grandchildren and ten great-grandchildren. His mother, Isabel Germaine, was the daughter leaves seven children, twenty-hve children and ten great-grandchildren.

BOARD OF TRADE SEATS GO UP Spirited Rush of Curbstone Traders in Chi cago to Obtain Memberships.

CHICAGO, Feb. 8.-For several days member f the Board of Trade have abandoned speculating in grain to speculate in member ships. There is either a trust that has cornered the market or the legitimate demand for the market or the legitimate demand for memberships far exceeds the supply, for the price since Tuesday has gone up from \$850 to \$2,000. The last sale made to-day brought \$2,000. One other brought \$1,900 and two more \$1,700 net, to the seller, making the price paid by the buyer, including commission, \$1,775. The general reform movement is credited with causing the increase in the value of memberships. The rule against privilege trading has been enforced so rigidly since its promulgation that the curbstone brokers have found themselves unable to do business, and they are now rushing for to do business, and they are now rushing for memberships in the board.

THE BEAR CAME OUT OF ITS HOLE. But It Was Five Days After Candlemas and

the Old Tradition Is Undecided. SARATOGA, Feb. 8.-Harry Paige's Sacandaga Park bear, upon which money was wagered that it would or would not come out of its hut on Candlemas Day and decide the old tradition as to the length of winter, surprised its dition as to the length of winter, surprised its watchers yesterday by appearing, of its own accord, at the mouth of its den five days after the calendar date. For a month the bear has hibernated and its only response to repeated prods was a grunt. It had not eaten anything during the thirty days, but yesterday gladly accepted a large quantity of cake from the owner. A photographer on the scene took pictures of Paige and the bear together, and bruin, whether he saw his shadow or not, returned to his hut and again fell asleep. Those interested in the bear's exploit are hesitating between the belief that the calendar is wrong or that bears have lost caste as weather prognosticators.

cators. FRED MEYER FORETOLD HIS DEATH. He Joined a Club of 13 Members Which

Met in Room 13. TROY, Feb. 8.-Frederick Mver, who was killed here last night by being struck by a Fitchburg locomotive, foretold his death less than a week locomotive, foretold his death less than a week ago. Meyer recently joined a club whose meetings were held in a hotel. He attended his first meeting last week when the roll call disclosed thirteen members present, and subsequently it was discovered that the meeting was being held in room 13 and that it was the thirteenth saniversary of the organization of the club. During the session Myer referred to the superstition attached to the number 13 and remarked: "Some of us will die in a short time. I think I'll be the man." His friends laughed at the idea, but to-day they are seriously considering the tragic realization of his prediction. to inquirers.

BABY KILLED BY WHISKEY. Drank a Tumblerful Offered to Her by Her

prediction.

4-Year-Old Brother. Peter Lafale of 160 West Houston street bought a half-gallon of whiskey a few days ago and put it away in a closet. His fourago and put it away in a closet. His four-year-old son, George Washington, found it on Wednesday night while his mother was husy and, filling a glass, handed it to his 2-year-old sister Mary, who guiped down the contents. George Washington poured out another tumblerful and Mary was in the act of drinking this also when her mother saw what was going on and snatched the glass away. Mary became uneonscious a little later. A neighboring physician prescribed for her, but she did not regain consciouses and died at 2 o'clock yesterday morning.

BINK BURGLARS CAPTURED.

Got \$5,000 From the Safe, but Were Caught With the Money.

MONTREAL, Quebec, Feb. 8. - The branch of the People's Bank of Hallfax at Danville, Que-bee, was entered this morning by burglars. Government with full rate and yet make a bec, was entered this morning by burgins, who blew open the vaults and got about \$5,000 in notes and coin. The men were captured a few hours later at Windsor Mills. The money was recovered.

SAVANNAH LINER AGROUND

THREE WOMEN LANDED NEAR MO-

PRICE TWO CENTS.

RICHES FROM THE GATE CITY. Forty-six Men, Passengers and Crew, Decide to Stay Aboard-The Steamship

Gets Too Close to Long Island in the Fog-Life Savers Attracted by Signals. The steamer Gate City, Capt. Googins, of the Savannah Line, which sailed from Savannah

on Tuesday for Boston, went aground at 9:50 o'clock last night three miles west of Moriches, . I. There was a particularly thick fog. and a fresh southeast wind when the Gate Cily struck the outer bar, between 500 and 600 yards off shore, and as there was considerable surf, Capt. Googins began sounding signals of distress from his whistles. From the shore the signals could not be

clearly distinguished. Some of those who heard them declared that there were four blasts sounded at intervals. Others said that it was a continuous signalling. The former mean that the vessel is out of control through some accident to her steering gear and give warning to captains of other steamers who might be approaching in the fog to keep out of the way. The latter means that the vessel is in distress.

Capt. Gilbert a Seaman of the Moriches Life Saving Station and six of his men went to the shore and waited for two hours before they were sure that the ship was in distress. Then they went out to the ship. They got back to the shore at midnight and had in the boat with them three women, two of whom had been passengers on the vessel and the other the stewardess. The passengers where Mrs. Louis F. Ryles and Miss Elizabeth Ryles of Florida. The women were soaked through by the surf and were taken to the station where they were placed near a warm fire and otherwise cared for.

Capt. Seaman reported that there were fortysix men left on the vessel. He was unable to tell how many of these were passengers and how many belonged to the crew. He said that the men decided to stand by the vessel, as they did not believe that she was in any danger of breaking up. No lines were made fast to the Gate City. as she is so close to the shore that should occasion arise, a line can be fired across her by means of the life savers' gun.

It was said that she was in no danger of breaking up unless the weather freshened very much and the surf became much rougher. Capt. Googins said that he believed that the Gate City had not been damaged, and that she could easily be pulled off the bar this morning by wrecking tugs. The Merritt-Chapman Wrecking Company heard of the accident and at 12:30 o'clock this

morning sent the wrecking tug W. E. Chapman to the assistance of the vessel The Gate City is an iron, brig-rigged steamship of 1.997 tons gross. She is 254 feet long. of 38 feet 7 inches beam and 24 feet 8 inches depth of hold. She was built at Chester, Pa., by Roach & Son, in 1878. Her rating expired

two years ago. TO HEAD OFF THE OLNEY BOOM,

Indiana Free Silver Men Want an Early Convention-Bryan Concurs. INDIANAPOLIS, Feb. 8.-The Free Silver Democrats to-day started a determined contest for an early convention in order to head off the movement in this State for Richard Olney, and it is said that Mr. Bryan has been communicated with by wire and favors May 9 as the date for the State Convention. The delegates to the National Convention are always selected at the meeting of the State Convention, and Bryan's friends believe that is to be a sentiment against their chief. Free Silver men express the belief that Bryan is the only man who stands any chance of the nomination. He is said to want early conventions

in all States where free silver will be endorsed. MONOPOLY IN MOVING PICTURES The Patent Office Awards Priority of In-

vention to Thomas Armat. WASHINGTON, Feb. 8 .- A monopoly in the moving picture projecting business was established by the decision of the Commissioner of Patents to-day affirming the action of the Board of Appeal of the Patent Office in awarding priority of invention in projecting machines for moving pictures to Thomas Armat of Washington. This case has been in the Patent Office for four years. The parties litigant who are losers are the American Muto-scope Company and E. & T. Anthony of New York, assignees respectively of Herman Custer and Woodville Latham. The infringing machines under this decision are the projecti-scope, made by the Edison people, the bio-graph, the vitascope, the cinematograph, and all other projecting machines now in the mar-ket.

The most important bearing the decision has The most important bearing the decision has at present is the control it gives Armat in the field of prizefight moving pictures. The importance this element assumes can be inferred from the fact that the pictures of the recent Jeffries-Sharkey fight yielded door receipts approximating \$500,000, the four weeks' receipts in New York alone being charged up at \$40,000, Armat has assigned his patents recently to the Animated Photo-projecting Company of New York, incorporated under New York laws.

BLEW UP A SMALL BOY.

Gas Explosion Caught Him Passing Over a Manhole and Burned His Trousers.

The clerks employed in the office of the Union Pacific and Central Pacific railroads at 287 Broadway were startled yesterday afternoon by three successive explosions of gas in the cellar. The gas had probably accumulated in the subways in the street and had leaked into the basement, which is seldom used.

The clerks ran into the street believing that the building was about to fail. They found a crowd in the street gathered about a small boy and laughing at him as he grabbed frantically at the seat of his trousers, where the cloth was smoking. The people in the street said that the small boy had been over an iron manhole cover when the first explosion occurred and had been thrown about three feet in the air. He was not harmed by his experience except that his trousers caught fire.

When he had extinguished the fire, the boy started for home. He refused to tell his name to inquirers. 287 Broadway were startled yesterday after-

STEINITZ PRONOUNCED INSANE. The Chess Expert Is Likely to Be Taken to a Private Sanitarium.

William Steinitz, the chess expert, who was taken to Harlem Hospital on Wednesday night from his home in East 103d street, was transfrom his home in East 103d street, was transferred to Bellevue early yesterday morning and placed in the insane pavilion for observation. Yesterday afternoon he was examined by Dr. Fitch and Dr. Wildman, and they decided that he was insane. It is expected that he will be taken to a private sanitarium in a few days. It was said at Bellevue yesterday that Steinitz had become insane through worrying over the fact that a book on chess he had written had been returned to him by the publisher as unworthy of publication.

IOCALIZED POSTAGE STAMPS

For Large Cities, to Break Up the Discount and Salary Swindle. The postal authorities have decided to issue stamps with a separate and distinct mark for each of the larger offices of the country. Postmaster Van Cott says that merchants in large cities frequently place large orders for stamps with postmasters in the small offices, who are paid according to their stamp sales. The postal authorities are seeking to break up this

It will be seen that a postmaster who is paid

Arion Society Grand Masquerade Ball, Madison Square Garden To-night.—446.